

RENTON CITY COUNCIL
Regular Meeting

April 5, 1999
Monday, 7:30 p.m.

Council Chambers
Municipal Building

MINUTES

CALL TO ORDER

Mayor Jesse Tanner led the Pledge of Allegiance to the flag and called the meeting of the Renton City Council to order.

**ROLL CALL OF
COUNCILMEMBERS**

KING PARKER, Council President; TIMOTHY SCHLITZER; RANDY CORMAN; TONI NELSON; BOB EDWARDS; KATHY KEOLKER-WHEELER; DAN CLAWSON.

**CITY STAFF IN
ATTENDANCE**

JESSE TANNER, Mayor; JAY COVINGTON, Chief Administrative Officer; LARRY WARREN, City Attorney; MARILYN PETERSEN, City Clerk; GREGG ZIMMERMAN, Planning/Building/Public Works Administrator; MIKE WEBBY, Human Resources & Risk Management Administrator; ABDOUL GAFOUR, Water Utility Supervisor; DEREK TODD, Finance Analyst; CHIEF A. LEE WHEELER, Fire Department; CHIEF GARRY ANDERSON, Police Department; DEPUTY CHIEF JOE PEACH, Police Department.

**APPROVAL OF
COUNCIL MINUTES**

MOVED BY PARKER, SECONDED BY SCHLITZER, COUNCIL APPROVE THE MINUTES OF MARCH 22, 1999 AS PRESENTED. CARRIED.

SPECIAL PRESENTATION
Washington Municipal Clerks
Association "President's
Award of Distinction"

Chief Administrative Officer Jay Covington announced that Renton City Clerk Marilyn J. Petersen was recently awarded the "President's Award of Distinction" from the Washington Municipal Clerks Association. The award was given for Ms. Petersen's outstanding work in the area of public relations, specifically relating to Renton's cable television franchise. The award noted that Ms. Petersen has been instrumental in improving the City's government access channel and its programming quality.

Mr. Covington added that Ms. Petersen has always demonstrated high standards and an outstanding command of the technical and operational aspects of her position and its myriad functions. He particularly commended her for taking on responsibility for the City's cable television franchise three years ago. Since that time, Ms. Petersen directed the adoption of comprehensive telecommunications legislation which will protect public rights-of-way and other public and governmental interests. She also successfully renegotiated the cable television franchise agreement, including tightened performance requirements, and improved the administration of the cable complaint resolution referral service.

Ms. Petersen thanked her staff and credited them for their outstanding efforts in helping with the day-to-day operations of the government access channel.

**ADMINISTRATIVE
REPORT**

Chief Administrative Officer Jay Covington reviewed a written administrative report summarizing the City's recent progress towards goals and work programs adopted as part of its business plan for 1999 and beyond. Items noted included:

- * The City's Victim Court Advocate now has two volunteers who send out resource information to victims of domestic violence. They also perform data entry to track incidents and statistics.
- * The Telephone Pioneers of Renton hosted a "beeper" egg hunt for over 50 visually impaired children at the Renton Senior Activity Center on April 3rd.

- * On April 2nd, a stop work order was placed on the City View Estates plat located at Stevens Ave. NW and NW 2nd Pl., based on non-compliance with conditions related to final site restoration.
- * A model produced by The Boeing Company explaining how businesses can partner with cities to streamline the regulatory process has won an award from the National Conference of States on Building Codes and Standards. It was also selected for implementation by jurisdictions nationwide.

Public Works: Cedar River
Overdredging

Gregg Zimmerman, Planning/Building/Public Works Administrator; said in response to recent local newspaper articles, Renton has known for a few months that a portion of the lower Cedar River was over-excavated by the Army Corps of Engineers last summer. The mistake came to light in November when Renton performed a series of survey cross-sections across the river to evaluate the job that had been done. The survey revealed that the over-dredging was up to a depth of four feet in some places.

Mr. Zimmerman emphasized that, during the actual construction, the City of Renton was not involved in the management of the project or in its quality control. All of the responsibility for this belongs to the Army Corps of Engineers. Since the mistake was discovered, Renton has been meeting with the Corps of Engineers to determine what the potential impacts might be and what mitigation, if any, will be required.

Continuing, Mr. Zimmerman explained that the over-dredging has affected the riverbed north of the Williams Ave. bridge and perhaps all the way up to I-405, as evidenced by a significant subsidence of the bottom in some areas. This, in turn, may have been detrimental to the 1998 sockeye run, since the salmon began to spawn soon after the dredging work was completed but before the upper reach of the river began to subside.

Contrary to assertions made in the media, Mr. Zimmerman said Renton does not believe that the fish habitat has been damaged. In fact, he expected that next year's run will return to normal levels. He noted that last winter's weather conditions would have resulted in a significant attrition of fish redds (nests) at any rate, since flow levels exceeded 3,000 cubic feet per second on several occasions.

Responding to Councilman Clawson, Mr. Zimmerman said although the City had originally proposed a 10-foot deep dredge, this would have created "lake-like" conditions which are not suitable for salmon spawning. The fish appear to prefer more shallow water, and the Cedar should continue to provide good spawning grounds.

Mr. Zimmerman concluded that Renton will work hard to ensure, when future maintenance dredges are performed, that this kind of mistake does not occur again.

AUDIENCE COMMENT
Citizen Comment: Evans –
Need for Additional
Crosswalks on Sunset Blvd

Ralph Evans, 3306 NE 11th Pl., Renton, 98056, suggested that the City look at whether marked crosswalks could be installed in the vicinity of NE 10th and NE 12th Street at Sunset Blvd. NE. He added that the intersection of Kirkland Ave. NE and Sunset Blvd., and the area between Kirkland Ave. NE and NE 10th Street, can also be dangerous for pedestrians.

CONSENT AGENDA

Items on the consent agenda are adopted by one motion which follows the listing. At the request of Councilman Edwards, item 7.f. was removed for separate

consideration.

Executive: Renton Community Foundation Proposal	Executive Department reported activities relating to the creation of a community foundation to provide resources and assistance to Renton organizations and groups. Refer to <u>Committee of the Whole</u> .
CAG: 99-018, Airport Control Tower HVAC Improvement, Design Air, Ltd.	City Clerk reported bid opening on 3/02/99 for CAG-99-018, Airport Control Tower HVAC Improvement; two bids; engineer's estimate \$83,604; and submitted staff recommendation to award the contract to the low bidder, Design Air, Ltd., in the amount of \$95,253.06 (project budget is \$102,000). Council concur.
Appeal: Renton Technical College Rezone from P-1 to IL, R-95-099	City Clerk reported appeal of Hearing Examiner's decision approving the City-initiated rezone of Renton Technical College from Public Use (P-1) to Light Industrial (IL); appeal filed by Dr. Robert C. Roberts on 3/11/99 (File No. R-95-099). Refer to <u>Planning & Development Committee</u> .
Appeal: Labrador Ventures Residential Development at 2700 Lk Wash Blvd, PP-98-141	City Clerk reported appeal of Hearing Examiner's decision regarding the request from Labrador Ventures for a preliminary plat, variance and rezone at 2700 Lake Washington Blvd. N.; appeal filed by James V. Handmacher on 3/16/99 (File No. PP-98-141). Refer to <u>Planning & Development Committee</u> .
Parks: Hydroplane Race Fee Reduction	Community Services Department recommended reducing, by half, fees associated with the 1999 limited hydroplane race to be held at Gene Coulon Memorial Beach Park on April 24th and 25th. Refer to <u>Community Services Committee</u> .
Parks: Municipal Court Modular Building, Sale & Removal	Community Services Department reported interest from three cities in the modular building formerly used for the Municipal Court at 200 Mill Ave. S., and recommended that they be invited to bid on the purchase of this structure (including its removal and site restoration). Refer to <u>Finance Committee</u> .
CRT: 99-005, AT&T Wireless Services v. Aberdeen et al.	Court Case filed in King County Superior Court by AT&T Wireless Services regarding possible improper charges of utility taxes levied by Renton and 80 other Washington jurisdictions for cellular phone users. Refer to <u>City Attorney and Insurance Services</u> .
Development Services: Restrictive Covenants Removal, Sarang Baptist Church	Development Services Division recommended approval of the request from Sarang Batist Church to remove restrictive covenants imposed on the subject site (at NE 12th St. and Edmonds Ave. NE) in 1978 as they are no longer relevant to present conditions on or surrounding the site. Refer to <u>Planning & Development Committee</u> .
Development Services: Restrictive Covenants Removal, Root Short Plat (500 Block of S. Tobin)	Development Services Division recommended approval of a request from Markham C. Hurd, 7018 - 127th Pl. SE, Newcastle, 98056, that a restrictive covenant imposed on properties located at 500 and 504 S. Tobin St. in 1988 be removed as it is no longer necessary. Refer to <u>Planning & Development Committee</u> .
Fire: Ladder Truck Purchase, Emergency One	Fire Department requested authorization to purchase a 95-foot aerial platform ladder truck from Emergency One at a cost of \$716,000, and recommended that \$66,000 in Fire Mitigation Funds be applied to this purchase. Council concur.
Lease: Sky Harbor Aviation, LAG-84-006 (Addendum re Hazardous Materials)	Transportation Division recommended approval of Addendum #8 to LAG-84-006, Sky Harbor Aviation's lease agreement, to include wording relating to responsibilities for remedial action in the event of a release or disposition of a hazardous substance not caused by Sky Harbor. Refer to <u>Transportation</u>

(Aviation) Committee.

Streets: Oakesdale Ave SW
(19th to 31st), Kato & Warren,
CAG-99-

Transportation Systems Division submitted proposed contract with Kato & Warren, Inc. for the Oakesdale Ave. SW project (SW 19th to 31st Streets) for \$75,890 in additional work obtaining necessary base maps and permits. Refer to Transportation Committee.

MOVED BY PARKER, SECONDED BY CORMAN, COUNCIL APPROVE THE CONSENT AGENDA AS AMENDED TO REMOVE ITEM 7.f. FOR SEPARATE CONSIDERATION. CARRIED.

Separate ConsiderationItem 7.f.

Parks: Beach Hours of
Operation

Community Services Department recommended the following hours of operation for Renton's beaches: until 8:00 p.m. from 6/19 to 8/13, and until 7:00 p.m. from 8/14 until the end of the swimming season on 9/06.

Mike Webby, Human Resources & Risk Management Administrator, explained that the City's new claims administrator, the Washington Cities Insurance Authority, has advised Renton to close its parks at dusk and not keep its beaches open past sunset during twilight hours. Mr. Webby explained that shadows fall onto the water in the evening, making it more difficult for lifeguards to properly patrol the areas.

Councilman Edwards pointed out that the table showing times of sunset and twilight uses Standard Time, yet as of last weekend, our area is now on Daylight Saving Time. Thus the times for sunset and twilight will actually be one hour later than shown. Mr. Edwards added that the visibility distance in the lake water is not comparable to that of a pool at any time, dusk or not.

Councilman Corman said in the past, it has been understood by parks patrons that if they choose to swim when no lifeguard is on duty, they do so at their own risk. Mr. Webby replied that Council will be asked to consider keeping the beach gates locked when no lifeguard is on duty, and further controlling the sites with additional police surveillance to deter off-hours swimmers.

MOVED BY EDWARDS, SECONDED BY PARKER, COUNCIL REFER THIS MATTER TO THE COMMUNITY SERVICES COMMITTEE. CARRIED.

CORRESPONDENCE

Citizen Comment: Brown –
Oversizing Reimbursement on
East Renton Interceptor

Correspondence was read from Tom Brown, Land Development Manager for Centex Homes, 2320 - 130th Ave. NE, Suite #200, Bellevue, 98005, requesting reimbursement in the amount of \$82,603.14 (plus tax) for oversizing required by the City on the East Renton Interceptor. MOVED BY CLAWSON, SECONDED BY SCHLITZER, COUNCIL REFER THIS MATTER TO THE UTILITIES COMMITTEE. CARRIED.

Citizen Comment: Sager –
Labrador Ventures
Development (Lk Wash Blvd)

Correspondence was read from David Sager, 1025 N. 28th Pl., Renton, 98056, stating that the Hearing Examiner's decision regarding the proposed development by Labrador Ventures (see previous page) was correct, and encouraging Council's concurrence with that decision. MOVED BY KEOLKER-WHEELER, SECONDED BY SCHLITZER, COUNCIL REFER THESE LETTERS TO THE PLANNING & DEVELOPMENT COMMITTEE. CARRIED.

Citizen Comment: Browne –
Labrador Ventures
Development (Lk Wash Blvd)

Correspondence was read from Kim Browne, 1003 N. 28th Pl., Renton, 98056, agreeing fully with the Hearing Examiner's decisions and recommendations on the Labrador Ventures development, and asking that his findings be given considerable weight when Council considers this appeal. MOVED BY

KEOLKER-WHEELER, SECONDED BY SCHLITZER, COUNCIL REFER THIS MATTER TO THE PLANNING & DEVELOPMENT COMMITTEE. CARRIED.

OLD BUSINESS

Finance Committee

Finance: Vouchers

Finance Committee Chair Edwards presented a report recommending approval of Claim Vouchers 169006 - 169497, and two wire transfers totaling \$1,975,354.77; and Payroll Vouchers 165724 - 165981 and 522 direct deposits in the total amount of \$1,316,202.80 (April 5, 1999). MOVED BY EDWARDS, SECONDED BY NELSON, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED.

HR&RM: Employee Cellular Phone Service Contract

Councilmember Keolker-Wheeler reiterated her request that the Administration consider soliciting bids or proposals for employee cellular phone service, since competitive rates are available.

ORDINANCES AND RESOLUTIONS

Ordinance #4775

Vacation: Oakesdale Ave SW, I-405 to SW Grady Way (IBID Corp., VAC-98-003)

The following ordinance was presented for second and final reading:

An ordinance was read vacating a portion of Oakesdale Ave. SW from SR-405 to SW Grady Way (IBID Corporation, VAC-98-003). MOVED BY KEOLKER-WHEELER, SECONDED BY NELSON, COUNCIL ADOPT THE ORDINANCE AS READ. ROLL CALL: ALL AYES. CARRIED.

NEW BUSINESS

Transportation: Alley Condition at (Request for City Repair)

Councilmember Keolker-Wheeler referred to correspondence between the City and Richard Walsh, 2609 NE 6th Pl., who requested assistance in maintaining the alley behind his home. Gregg Zimmerman, Planning/Building/Public Works Administrator, stated that the City has agreed to deliver a load of gravel to the alley, which the residents will spread themselves.

Saying this would be an excellent resolution to the situation, Mrs. Keolker-Wheeler added that this type of problem would be suitable for the City's future neighborhood grants program.

Solid Waste: Proposed WUTC Rule-Making Change

MOVED BY KEOLKER-WHEELER, SECONDED BY CLAWSON, COUNCIL REFER THE WASHINGTON UTILITIES & TRANSPORTATION COMMISSION'S PROPOSED RULE-MAKING CHANGE ON SOLID WASTE ISSUES TO THE UTILITIES COMMITTEE. CARRIED.

EXECUTIVE SESSION

MOVED BY PARKER, SECONDED BY CORMAN, COUNCIL RECESS INTO EXECUTIVE SESSION FOR 60 MINUTES TO DISCUSS POTENTIAL LITIGATION. CARRIED. Time: 8:33 p.m.

The meeting was reconvened at 9:33 p.m.; roll was called; all Councilmembers present.

ADJOURNMENT

MOVED BY NELSON, SECONDED BY EDWARDS, COUNCIL ADJOURN. CARRIED. Time: 9:34 p.m.

MARILYN J. PETERSEN, CMC, City Clerk